

*The Committee to Approve Schedules for the
Retention and Disposition of Official State Records
The “State Records Committee”
Minutes for September 8, 2021*

1: Call to Order, Welcome, Roll Call

The meeting was called to order at 1:18 p.m. The meeting was held through teleconference in accordance with NRS 241 as it relates to meeting operations of public bodies.

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Committee Members:

Scott Anderson, for Barbara K. Cegavske, Secretary of State – Present

Jerry Lindsay, Governors Appointee – Present

Harry B. Ward, for Aaron Ford, Nevada Attorney General – Present

Mike Strom, Division Administrator, Nevada State Library, Archives and Public Records – Present

Maureen Martinez, for Laura Freed, Director for the Department of Administration – Present

Alisanne Maffei, for David Haws, Administrator, Enterprise Information Technology Services – Present

Staff:

Sara Martel, State Records Manager, Nevada State Library, Archives and Public Records – Present

Heather Hahn, Senior Records Analyst, Nevada State Library, Archives and Public Records – Present

Guests Present:

None

2: Public Comment

Comment may be limited to 5 minutes at the discretion of the Chair.

There was no public comment made or received by staff prior to the meeting. Heather Hahn introduced Mike Strom as the new Administrator for the Nevada State Library, Archives and Public Records.

3: Attachment A. Review and Approve the Minutes for May 12, 2021

Discussion and Vote:
There was a discussion regarding the vote for the minutes as not all committee members present at this meeting were present at the May 12, 2021 meeting. Per Harry Ward, voting by members

can be as to form and not as to content and still be compliant with the Open Meeting Law requirements. It was suggested that any concerns about the content of the minutes could be discussed at a future meeting. As such, the minutes were approved as presented. The motion was made by Harry Ward and the second was by Alisanne Maffei. The vote was unanimous.

4: Attachment B. Proposed New RDAs for Agency Specific Records Retention Schedules

1. Board of Cosmetology

1. Title: *Informal Citation Records*

RDA: 2021006

Description:

These records document informal operational citations given by the Board. The records may include but are not limited to: citations with supportive documentation, photographs, associated documentation, and related correspondence.

Authorized Retention:

Retain for ten (10) calendar years from the end of the calendar year in which the citation was issued.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative values.

Agency review:

The appraisal is supported by the Board of Cosmetology Records Officer.

Justification for Modification of RDA 2021006:

In the General Schedule RDA 2018025 addresses “formal actions on complaints”. According to the agency the records identified in this records series do not rise to the level of “formal actions on complaints”. Staff and the agency recommend the creation of this records series to address this disparity between the General Schedule and their records. Staff and the agency recommend an Authorized Retention of 10 calendar years to align this records series to General Schedule RDA 2006054 Licensing: Professional and Occupational Licensing – Investigations to ensure the agency’s retention of applicable records should the citation rise to the level or need to be included as part of a licensing investigation.

2. Title: *Compliance Review Records*

RDA: 2021007

Description:

These records document compliance reviews resulting in a written warning given by the Board that do not rise to the level of formal disciplinary action. The records may include but are not limited to: compliance review written warnings with supportive documentation, photographs, associated documentation, and related correspondence.

Authorized Retention:

Retain for ten (10) calendar years from the end of the calendar year in which the compliance review warning was issued.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative values.

Agency review:

The appraisal is supported by the Board of Cosmetology Records Officer.

Justification for Modification of RDA 2021006:

In the General Schedule RDA 2018025 addresses “formal actions on complaints”. According to the agency the records identified in this records series do not rise to the level of “formal actions on complaints”. Staff and the agency recommend the creation of this records series to address this disparity between the General Schedule and their records. Staff and the agency recommend an Authorized Retention of 10 calendar years to align this records series to General Schedule RDA 2006054 Licensing: Professional and Occupational Licensing – Investigations to ensure the agency’s retention of applicable records should the citation rise to the level or need to be included as part of a licensing investigation.

Discussion and Vote:

Harry Ward made a disclosure that he may have substituted for a Deputy Attorney General at a Cosmetology Board meeting 10 plus years ago. He added that he does not feel there is any bias or that it would interfere with his ability to make decisions on changes to retention schedules for the Cosmetology Board. As such, the proposals in Attachment B were approved as presented. The motion was made by Harry Ward and the second was by Alisanne Maffei. The vote was unanimous.

5: Attachment C. Proposed Modification RDAs for Agency Specific Records Retention Schedules

1. Board of Cosmetology

A. Title: Schools of Cosmetology – *Licensing Records*

RDA: 1991656

Description:

These records document the licensing of schools of cosmetology by the Board (NRS 644A). The records may include but are not limited to: licensing applications with supportive documentation, faculty documentation, enrollment documentation, physical location documentation (school floor plan), financial ability documentation, equipment documentation, financial reports, fees, insurance documentation, inspection reports, associated documentation, and related correspondence.

~~This record series is an information file used to license and keep up to date with schools of cosmetology throughout the State of Nevada. In accordance with NRS 644.380 any person desiring~~

~~to conduct a school of cosmetology in which any one or combination of the occupations of cosmetology are taught must apply to the board for a license, through the owner, manager or person in charge, upon forms prepared and furnished by the board. The file may contain: a detailed floor plan of the proposed school, the name, address and number of the license of the manager or person in charge and of each instructor, evidence of financial ability to provide the facilities and equipment required by regulations of the board and to maintain the operation of the proposed school for at least one year, proof that the proposed school will commence operation with an enrollment of not less than 25 bona fide students, the annual license fee, the name and address of the person designated to accept service of process. It may also contain financial reports, proof of insurance bonding, inspection sheets, correspondence, and other related documents.~~

Authorized Retention:

Retain for ~~a period of~~ three (3) calendar years from the *end of the calendar year in which the license expires or is terminated* ~~expiration of the license.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and archival values.

Agency review:

The appraisal is supported by the Board of Cosmetology Records Officer.

Justification for Modification of RDA 1991656:

Staff recommends the additions and deletions to the title and description to ensure the verbiage encompasses all components of the records series more concisely and accurately. In particular the change from NRS 644 to NRS 644A to ensure the records series reflects the agency's legal mandates. In addition, staff recommends the deletion of "a period of" and "expiration of the license" replacing it with "end of the calendar year in which the license expires or is terminated" to make a more consistent and defined trigger event.

Discussion and Vote:

Chair Anderson asked staff if there were any additional concerns or comments that Committee members should be aware of before discussion. Heather Hahn advised there were no concerns or additional comments. Chair Anderson asked if any staff from the Cosmetology Board were attending via telephone, and Heather Hahn replied that they were not present. Chair Anderson asked staff if any further input was needed from staff at the Cosmetology Board. Heather Hahn replied that no further input was needed. Their staff reviewed the recommended changes and were in support. Harry Ward made the same disclosure as stated in the Discussion and Vote of Item #4. The proposals in Attachment C were approved as presented. The motion was made by Alisanne Maffei and the second was by Harry Ward. The vote was unanimous.

6: Attachment D. Proposed Deletion RDAs for Agency Specific Records Retention Schedules

1. Board of Cosmetology

A. Title: ~~Junior Operators Program~~

RDA: 1991653

Description:

~~This record series consists of the license file for junior operators in the State of Nevada. The file may contain: information sheet, application, training or hours completed, place of employment and the trainer's name.~~

Authorized Retention:

~~Retain for a period of three (3) calendar years from the expiration of the license.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Board of Cosmetology Records Officer.

Justification for Deletion of RDA 1991653:

According to the appraisal of previous records staff, this program was discontinued in 1987. There are no records currently being created related to this program. Staff recommends the deletion of this RDA.

Discussion and Vote:
After asked by Chair Anderson, Heather Hahn stated that there was no further information from staff. Harry Ward made the same disclosure as stated in the Discussion and Vote of Item #4. The proposals in Attachment D were approved as presented. The motion was made by Mike Strom and the second was by Jerry Lindsay. The vote was unanimous.

7: Attachment E. Proposed New, Modification, and Deletion of RDAs for General Records Retention Schedule

A. Title: Grants: Applications Not Funded - Applying Agency Records

RDA: 2005123

Description:

These records document an agency's application for grant (federal, state, or private organization) funding that is not awarded. The records may include but are not limited to: applications with supportive documentation, grant narrative, transmittal letters, denial letters, associated documentation, and related correspondence.

~~These records are used by an agency to apply for a grant (federal, state or private organization) that was denied and not funded. The files consist of but are not limited to: Application material which may include federal forms such as SF-424 "Application for Federal Assistance" or "Facesheet"; Grant narrative; Transmittal letter, denial letter and related correspondence.~~

Authorized Retention:

Retain for three (3) calendar years from the end of the calendar year in which the application is denied or final action was taken.

~~Retain these records for as long as administratively useful but no longer than a period of three (3) calendar years from the date the application was denied or final action was taken.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal values.

Agency review:

The appraisal is supported by the Grants Office Records Officer.

Justification for Modification of RDA 2005123:

Staff recommends the additions and deletions to the description to ensure the verbiage encompasses all components of the records series more concisely and accurately. In addition, staff recommends the deletion of “Retain these records for as long as administratively useful but no longer than a period of three (3) calendar years from the date the application was denied, or final action was taken” replacing it with “Retain for three (3) calendar years from the end of the calendar year in which the application is denied or final action was taken” to ensure a more defined and consistent trigger event. This change is in compliance with 2 CFR § 200.334 regarding the awarding of Federal grant funding.

B. Title: Grants: Federal Grant - Real Property & Equipment Records

RDA: 2005127

Description:

These records document real property and equipment purchased with funds from federal grants subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). The records may include but are not limited to: grant application documents with supportive documentation, real property documentation including maps, plots, and title records, equipment records including purchase documentation, user manuals, and property ID documentation, tax documentation including assessment records, IRS tax documents, and state and local government tax documentation, disposition records including sales, transfers, or discarding records, associated documentation, and related correspondence.

Authorized Retention:

Retain for three (3) federal fiscal years from the *end of the federal fiscal year in which the property or equipment is disposed of, replaced, or transferred.* ~~date of the disposition, replacement or transfer of the property or equipment. When the federal granting agency requires a longer retention period, report this to the Records Management Program and these exceptions shall be placed onto the “agency specific records retention and disposition schedule” for said agency.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal values.

Agency review:

The appraisal is supported by the Grants Office Records Officer.

Justification for Modification of RDA 2005127:

Staff recommends the deletion of “date of the disposition, replacement or transfer of the property or equipment. When the federal granting agency requires a longer retention period, report this to the Records Management Program and these exceptions shall be placed onto the “agency specific records retention and disposition schedule” for said agency” replacing it with “of the federal fiscal year in which the property or equipment is disposed of, replaced, or transferred” to ensure a more defined and consistent trigger event. This especially true for the notation allowing for a possible extension of the authorized retention which is not in line with 2 CFR § 200.334 (c).

C. Title: Grants: Federal Grants - Administrative Records

RDA: 2005125

Description:

These records document the administration of federal grants subject to the Common Rules of Grants Management. The records may include but are not limited to: grant applications with supportive documentation, budget information (non-construction and construction), standard assurance documentation (non-construction and construction), grant narratives, grant amendments and cooperative agreements, accounting documentation, performance reports (annual, semi-annual and/or quarterly), subgrantee reports, associated documentation, and related correspondence.

~~These records are used in the program administration of federal grants subject to the "Common Rule for Grants Management." Some federal granting agencies make exceptions to this "Common Rule," please see <http://www.whitehouse.gov/omb/grants/chart.html>. The files may include, but are not limited to: Copy of grant application documents [including forms SF-424 Facesheet, SF-424a Budget Information (Non-construction), SF-424b Standard Assurances (Non-construction), SF-424c Budget Information (Construction) and SF-424d Standard Assurances (Construction); Grant narrative, amendments and copy of cooperative agreements; Copies of accounting & budget records; Performance reports (annual, semi-annual and/or quarterly); Subgrantee reports; Related correspondence.~~

Authorized Retention:

Retain ~~these records~~ for ~~the entire funding period plus~~ three (3) federal fiscal years from the *end of the federal fiscal year in which submission of the last final expenditure report and/or the final financial report is submitted.*

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal values.

Agency review:

The appraisal is supported by the Grants Office Records Officer.

Justification for Modification of RDA 2005125:

Staff recommends the additions and deletions to the description to ensure the verbiage encompasses all components of the records series more concisely and accurately. In addition, staff recommends the deletion of “these records”, “the entire funding period plus”, and “submission of the last” replacing it with “end of the federal fiscal year in which the final expenditure report and/or the final financial report is submitted” to ensure a more defined and consistent trigger event. This change is in compliance with 2 CFR § 200.334 regarding the awarding of Federal grant funding.

D. Title: Grants: Federal Grants - Appeals and Compliance Reviews

RDA: 2005129

Description:

These records document the appeals made to the federal regulatory agency concerning actions against state plans and the compliance reviews that occur during the life of the state plan. The records may include, but are not limited to: complaints, investigation reports, documentation of informal meetings to resolve differences, hearing and appeal documentation, plans for corrective action, compliance reviews, documentation of debarment and/or suspension, associated documentation, and related correspondence.

Authorized Retention:

Retain *for* three (3) federal fiscal years from the *end of the federal fiscal year in which the final action occurred*. ~~date of final action. When the federal granting agency requires a longer retention period, report this to the Records Management Program and these exceptions shall be placed onto the “agency specific records retention and disposition schedule” for said agency.~~

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, archives, fiscal, and legal values.

Agency review:

The appraisal is supported by the Grants Office Records Officer.

Justification for Modification of RDA 2005129:

Staff recommends the deletion of “date of final action. When the federal granting agency requires a longer retention period, report this to the Records Management Program and these exceptions shall be placed onto the “agency specific records retention and disposition schedule” for said agency” replacing it with “end of the federal fiscal year in which the final action occurred” to ensure a more defined and consistent trigger event. This especially true for the notation allowing for a possible extension of the authorized retention which is not in line with 2 CFR § 200.334.

E. Title: Grants: Federal Grants - Financial Management Records

RDA: 2005126

Description:

These records document the financial management of federal grants subject to the Common Rule for Grants Management. The records may include but are not limited to: financial status reports, requests for advance reimbursement, outlay reports, requests for reimbursement of construction programs, federal cash transaction reports, indirect cost rate proposals, cost allocation plans, cost adjustment documentation, cash adjustment

documentation, invoices, audit reports audit forms, financial statements, schedule of expenditures, audit finding summary schedules, corrective action plans, associated or supportive documentation, and related correspondence.

~~These records are used in the financial management of federal grants subject to the "Common Rule for Grants Management." Some federal granting agencies make exceptions to this "Common Rule." See <http://www.whitehouse.gov/omb/grants/chart.html>. The files may include, but are not limited to: Financial reports, including Financial Status Report, Request for Advance or Reimbursement, Outlay Report and Request for Reimbursement for Construction Programs, Report of Federal Cash Transactions, etc.; Indirect cost rate proposals, cost allocation plans, cost adjustment documents, etc.; Cash adjustment documents, invoices, etc.; Audit records including Auditor Reports, audit data collection forms, financial statements, schedule of expenditures, summary schedule of prior audit findings, corrective action plans, etc.; Supportive documentation including copies of IFS Advantage printouts, executive budget printouts, accounting workpapers, spreadsheets, etc; Related correspondence.~~

Authorized Retention:

Retain ~~these records~~ for ~~the entire funding period plus~~ three (3) federal fiscal years *from the end of the federal fiscal year in which the final financial report is submitted.* ~~from the submission of the last expenditure report.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal values.

Agency review:

The appraisal is supported by the Grants Office Records Officer.

Justification for Modification of RDA 2005126:

Staff recommends the additions and deletions to the description to ensure the verbiage encompasses all components of the records series more concisely and accurately. In addition, staff recommends the deletion of “these records”, “the entire funding period plus”, and “from the submission of the last expenditure report” replacing it with “from the end of the federal fiscal year in which the final financial report is submitted” to ensure a more defined and consistent trigger event. This change is in compliance with 2 CFR § 200.334 regarding the awarding of Federal grant funding.

F. Title: Grants: Federal Grants - State Plan *Records*

RDA: 2005128

Description:

These records document state plans *as they relate to federal grant funding* ~~required by various laws and regulations.~~ The records may include but are not limited to: plan narratives *with including* amendments, ~~identifications of the~~ sole state agency *identification*, statewide program objectives *documentation*, resource allocation plans, state assurances, area plans, state and federal certifications, funding formulas, evaluations, associated documentation, and related correspondence.

Authorized Retention:

Retain for three (3) federal fiscal years from the *end of the calendar year in which* ~~date~~ the plan *is* ~~was~~ accepted or superseded. ~~When the federal granting agency requires a longer retention period, report this to the Records Management Program and these exceptions shall be placed onto the “agency specific records retention and disposition schedule” for said agency.~~

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, archives, fiscal, and legal values.

Agency review:

The appraisal is supported by the Grants Office Records Officer.

Justification for Modification of RDA 2005128:

Staff recommends the additions and deletions to the title and description to ensure the verbiage encompasses all components of the records series more concisely and accurately. Staff recommends the deletion of “When the federal granting agency requires a longer retention period, report this to the Records Management Program and these exceptions shall be placed onto the “agency specific records retention and disposition schedule” for said agency” replacing it with “end of the calendar year in which” to ensure a more defined and consistent trigger event. This especially true for the notation allowing for a possible extension of the authorized retention which is not in line with 2 CFR § 200.334.

G. Title: Grants: State Grants - Applications Funded - Applying Agency Records

RDA:2005131

Description:

These records document grants solely funded and/or administered by an agency of the State of Nevada. The records may include but are not limited to: applications with supportive documentation, grant narratives, award letters and agreements, assurances, financial and budget documentation, audit records with supportive documentation, progress reports, closure documentation, associated documentation, and related correspondence.

~~These records document grants, funded solely with state funds, administered by a state agency when they concern: a government agency, private organization, or non-profit organization. These records may include but are not limited to: application materials, program narratives, award letter and agreements, assurances, financial and budget documentation, audit records with supportive documentation, progress reports, closure documentation, associated documentation, and related correspondence.~~

Authorized Retention:

Retain for three (3) fiscal years from the end of the fiscal year in which the final *action was taken*. ~~grant award payment is dated.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal values.

Agency review:

The appraisal is supported by the Grants Office Records Officer.

Justification for Modification of RDA 2005131:

Staff recommends the additions and deletions to the description to ensure the verbiage encompasses all components of the records series more concisely and accurately. Staff recommends the deletion of “grant award payment is dated.” replacing it with “final action was taken” to ensure a more defined and consistent trigger event.

Discussion and Vote:

Heather Hahn stated that the retention statement of some of the RDAs include the language “in which the final action occurred”. As this statement is not clearly defined, staff will be reviewing retention schedules which include this language and bringing suggested modifications before the Committee on a future agendas. There was discussion between Chair Anderson and Heather Hahn to clarify that each RDA will need to be presented to the Committee instead of a bulk approval for all RDAs containing that phrasing. Staff also clarified for Chair Anderson that the recommended verbiage is not known at this date so the changes could not be made during this meeting. Chair Anderson also asked staff if there was a need to have these RDAs approved at this meeting instead of waiting for the retention statement changes. Heather Hahn stated that based on the justifications provided and suggested changes, these changes should be approved during this meeting. The proposals in Attachment E were approved as presented. The motion was made by and Harry Ward, and the second was by Maureen Martinez. The vote was unanimous.

8: 2021 Legislative Session Update**Discussion:**

There was discussion on AB 253 and the impact to Open Meeting Law and this Committee with Heather Hahn summarizing the changes. Harry Ward reiterated the changes and offered his assistance if Committee members had any questions. Chair Anderson asked staff if there were any other changes to law that would impact the Committee as many changes go into effect on October 1, 2021. Heather Hahn stated that she would do another review and meet with Chair Perondi to be ensure compliance before the next Committee meeting.

9: Discuss future agenda items**Discussion:**

Heather Hahn stated that she has slightly changed the format that is contained in this section, so Committee members have a better understanding of the schedules being modified and the stage of the completion process.

Current Schedules out for review: Aging and Disability Services – Disabilities Program; Charter School Authority; DHHS Health Care Quality and Compliance; DHRM – Equal Employment Office; DOC – Inmate Services; DOC – Offender Management; Governor’s Office; NDEP – Director’s Office; DHHS – Public Health Preparedness; Taxation – Revenue Division.

Schedules staff currently working on/finalizing: Agriculture – Animal, Livestock, and Plant Industries; DHHS- Health Care Finance Policy; Welfare Services - Child Support Enforcement Program; NSLAPR – Archives and Records

Chair Anderson asked to confirm if meetings are being held monthly or bi-monthly. Heather Hanh confirmed that meetings are scheduled monthly. Chair Anderson asked if staff felt there are enough agenda items to justify a meeting October. Heather Hahn stated that based on the current items ready for the agenda, there are not enough to justify a meeting.

10: Public Comment

There was no comment from the public made by mail, email, or telephone leading up to or during the meeting.

11: Determine time of next meeting

The next meeting will be held October 13, 2021 at 1:15 pm. The location and/or format will be determined after consultation with Chair, Kim Perondi.

11: Adjourn

The meeting was adjourned at 1:54 pm by the Chair, Scott Anderson.